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6-18-1985

Technical Bulletins: Compliance with the Fair Labor Standards Act

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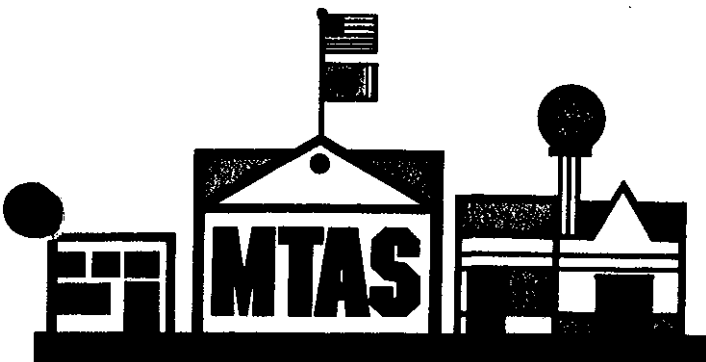
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Recommended Citation

Ellis, Richard M., "Technical Bulletins: Compliance with the Fair Labor Standards Act" (1985). *MTAS Publications: Technical Bulletins*.

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TECHNICAL BULLETIN

MUNICIPAL TECHNICAL ADVISORY SERVICE
THE UNIVERSITY OF TENNESSEE
IN COOPERATION WITH THE TENNESSEE MUNICIPAL LEAGUE

U.T. E14-1050-00-003-86

June 18, 1985

COMPLIANCE WITH THE FAIR LABOR STANDARDS ACT

By Richard M. Ellis, Management Programs Consultant

Information has been obtained from the U. S. Department of Labor that enforcement of the Fair Labor Standards Act will begin in October of this year. However, the Department will require compliance with the Act retroactive to April 15, 1985. Therefore, if you are found to be not in compliance with the Act after October 1985, you may be required to pay back overtime wages and penalties to April 15, 1985.

It is incumbent upon every municipality to come into compliance with the Act as soon as possible. MTAS and CTAS have developed a joint technical report to assist you in complying with the Act; it will be published within the next few weeks. This technical report is essentially the same document which was distributed during the seminars conducted by MTAS, CTAS, and CGT in April and May of this year, and should be very helpful in your compliance efforts. If you did not attend the workshops and do not have a copy of this document, contact the MTAS Knoxville office, (615) 974-5301, and one will be sent to you immediately.

Apparently the most significant problem in complying with the Act involves public safety employees. The new information received from DOL indicates that the hours for police and fire personnel will be 43 hours per week (171 hours in a 28 day work period) and 53 hours per week (212 hours in a 28 day work period). You must establish your tour of duty, or work period, immediately. If you already have done so, you should attempt to compute any overtime you may be liable for between the time you established the work period (tour of duty) and April 15. If you need assistance, contact the MTAS management consultant for your city or the MTAS Knoxville office, (615) 974-5301.